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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | | 10774352 | |
| | Filing Date | | 2004-02-06 | |
| | First Named Inventor | Gerd Scharninghausen | | |
| | Art Unit | 1722 | | |
| | Examiner Name | Maria Veronica Ewald | | |
| Attorney Docket Number | | ESN-45 | | |

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

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| Examiner Name | Maria Veronica Ewald |
| Attorney Docket Number | ESN-45 |

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☒ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

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☒ See attached certification statement.

☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☐ None

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

| | | | |
|------------|--------------------|---------------------|------------|
| Signature | /William R. Allen/ | Date (YYYY-MM-DD) | 2007-09-14 |
| Name/Print | William R. Allen | Registration Number | 48389 |

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/774,352
Art Unit: 1722
Applicant: Scharninghausen et al.
Title: **PORTIONING DEVICE FOR FOODSTUFFS**
Attorney Docket: ESN-45
Confirmation No.: 5252

Cincinnati, Ohio 45202

September 14, 2007

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
STATEMENT OF CERTIFICATION UNDER § 1.704(d)

Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application and, to the knowledge of the person signing the certification after making reasonable inquiry, this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.

Applicants do not believe that any fees are due in connection with this submission. If any additional charges or credits are necessary to complete this communication, please apply them to Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By: /William R. Allen/
William R. Allen, Reg. No. 48,389

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